

haynesboone

November 16, 2016

The Honorable Ed Kinkeade
United States District Court for the Northern District of Texas
1100 Commerce Street, Room 1625
Dallas, Texas 75242

Re: *Exxon Mobil Corporation v. Healey*; Docket No. 4:16-cv-00469-K

Dear Judge Kinkeade:

In accordance with this Court's directive at this morning's telephonic hearing, we have attempted to confer with Defendants on the Court's recommendation of a special master. We wanted to advise the Court that ExxonMobil is agreeable to Mr. James Stanton serving as special master subject to conflicts clearance and without waiver of Defendants' jurisdictional arguments. We have been advised that the New York Attorney General is objecting on payment grounds and because of a claimed conflict (due to the fact that its counsel is handling litigation against a party or parties represented by Mr. Stanton). We have been told that we will not receive a response from the Massachusetts Attorney General until tomorrow.

We respectfully request the opportunity to visit on next steps with the Court at its morning break tomorrow, or as soon as the Court can accommodate the parties.

Respectfully submitted,

/s/ Nina Cortell

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Cc: (via ECF)
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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of November, 2016, I caused the foregoing correspondence to be served on all parties via the Court's CM/ECF system.

/s/ Nina Cortell

Nina Cortell